

# MODIANO, JOSIF, PISANTY & STAUB

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S. L. A. MODIANO\*

Milan, December 10, 2003

New US Application in the name of

- Lino PIVA

- Sante POLONI

- Francesco CAERAN

Agent's Docket: 38297/GM/lp

## MAIL STOP: PATENT APPLICATIONS

Hon. COMMISSIONER OF PATENTS AND TRADEMARKS

WASHINGTON D.C. 20231

U. S. A.

Transmitted herewith are the following papers for filing a new Application:

1. Specification and claims; Declaration/Power of Attorney duly signed December 5, 2003 and attached thereto;
2. Three drawings on strong paper accompanying the specification (M.P.E.P. 608.02-rev. 81);
3. Deposit Account order for Filing Fee: \$ 770.= dated December 10, 2003 (duplicate);
4. Deposit Account order for Assignment fee : \$ 40.= dated December 10, 2003;
5. Assignment of the Invention to: NORDICA S.p.A.
6. Submission of Exhibits as to lacking signature of 3<sup>rd</sup> Joint-Inventor Sante POLONI.

The priority of the here-under listed Application is respectfully claimed:

– Italian Application No. TV2002A000153 filed December 18, 2002.

A Certified Copy of the above priority Application is attached hereto.

Please place of record in the file the enclosed papers and kindly acknowledge receipt thereof; please readily collect the credit specified in the Deposit Account order, so as to allow the Application to receive the earliest possible filing date, however within:

**DECEMBER 18, 2003.**

Respectfully submitted



Guido MODIANO  
(Reg. No. 19,928)

Encls.:

- Spec./claims + Declaration/Power
- Formal drawings
- Filing Fee Dep. Acc. order (duplicate)
- Assignment + Cover sheet
- Certified Copy
- Submission of Exhibits as to lacking signature of 3<sup>rd</sup> Joint-Inventor Sante POLONI.

**MAIL STOP: PATENT APPLICATIONS**  
**THE COMMISSIONER OF PATENTS**  
 Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the Patent Application of:

**LARGE ENTITY**

Inventor(s): Lino PIVA – Sante POLONI – Francesco CAERAN

For: "SPORTS SHOE"


Enclosed are:

- ☒ Three sheets of drawing on strong paper (M.P.E.P. 608.02 – rev. 81)
- ☒ An Assignment of the Invention to NORDICA S.p.A.
- ☒ A Certified Copy of an Italian Patent Application
- ☐ Associate Power of Attorney

CLAIMS AS FILED					
	(1) for	(2) number filed	(3) number extra	(4) rate	(5) basic fee \$ 770.=
	Total claims	7 - 20 =		x \$18.=	
	Independent claims	1 - 3 =		x \$86.=	
				Total filing fee	\$ 770.=

- ☒ Please charge my Deposit Account No. 13-3860 in the amount of \$ 770.=.  
 A duplicate copy of this sheet is enclosed
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-3860.  
 A duplicate of this sheet is enclosed.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.

Milan, Italy  
 December 10, 2003

  
 \_\_\_\_\_  
 Guido MODIANO  
 (Reg. No. 19,928)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assignors : Lino PIVA – Sante POLONI – Francesco CAERAN  
Assignee : NORDICA S.p.A.  
Serial No. : still unknown  
Filed : still unknown  
For : “SPORTS SHOE”  
Group No. : still unknown  
Examiner : sill unknown

**MAIL STOP: PATENT APPLICATIONS**

Assistant Commissioner for Patents

Washington D.C. 20231 USA

Dear Sirs,

Since Declaration and Assignment concurrently submitted with the present Application are executed only by joint-inventors Lino PIVA and Francesco CAERAN but are lacking signature of 3<sup>rd</sup> joint-inventor Sante POLONI, this is to enclose Exhibits (A-E) whereby Sante POLONI was requested by Assignee NORDICA S.p.A. to also execute such documents. In fact, Sante POLONI, who meanwhile left the Company, was an employee bound to assign each and every invention to the employer.

Such duty is also supported by the fact that Italian Patent Application N. TV2002A000153 of December 18, 2002 , priority whereof is being claimed

in the present Application, has been originally filed in the name of the Company, as permitted by the Italian Patent law. The priority document is being submitted concurrently.

In support of the above, the following Exhibits are enclosed:

Exhibit A – Letter of NORDICA S.p.A. dated November 21, 2003 to the Agents, together with an English translation thereof;

Exhibit B – Copy of Registered A/R letter of October 30, 2003 from NORDICA S.p.A. to Sante POLONI, asking for execution of the forms, together with an English translation thereof;

Exhibit C – Copy of Registered A/R postcard attesting delivery of letter “Exhibit B” on November 4, 2003, together with an English translation thereof;

Exhibit D – Copy of Registered A.R. letter of November 11, 2003 from NORDICA S.p.A. to Sante POLONI, asking again for execution of the forms, together with an English translation thereof;

Exhibit E – Copy of Registered A.R. postcard attesting delivery of letter “Exhibit D” (presumably Nov. 18, 2003), together with an English translation thereof.

Agent for the Assignee is confident that the above submissions will be deemed to be sufficient for supporting the efforts made by the Assignee in order to have the forms executed by 3<sup>rd</sup> joint-inventor Sante POLONI.

However, should the PTO deem that anything further is needed, Assignee is prepared to submit whatever further evidence which might be requested.

Respectfully submitted



Guido MODIANO

(Reg. No. 19,928)

Milan, Italy – December 11, 2003